Department could have actually gone on without asking for any supplementary demand. It is only to point out that aspect of the matter that this motion has been tabled by me.

Motion No. 2.

Mr. T. A. Ramachandra Ayyar.—*To reduce the allotment of Rs. 1,000 for 1. Land Revenue—C-Contingencies by Re. 1.*

Mr. T. A. Ramachandra Ayyar.—I second it. The object of my cut motion is to ascertain from the Government the reason why the previous Head of this Department retired before the age limit. In Cochin at present extension of service is the order of the day and I want to know why this gentleman alone retired before the age limit. To the best of my recollection this is the first instance of its kind in recent years. I should like to know why this able and eminent officer was retired in this way.

President.—No other Member wishing to speak? Then you will reply.

Mr. T. M. Krishna Menon.—Sir, for lack of proper knowledge of the procedure and practice of this House, I do not exactly know whether a token motion like this will cover things like the appointment of a particular person to a particular place. If it does I have my doubts if by appointing a person on a less pay the amount saved thereby could be diverted to the head "Miscellaneous" and utilised for purposes covered by it.

Mr. K. P. Kannan Nayar.—I think that can be done.

Mr. T. M. Krishna Menon.—Without sanction it cannot be done. Anyhow application will have to be made for transfer of allotments.

Mr. C. A. Kunjunni Raja.—The practice has never been to make such applications for transfer in such cases except when there is transfer from one head to another.

Mr. T. M. Krishna Menon.—Then I may be wrong. It is a matter of accounts.

Mr. K. P. Kannan Nayar.—I do not press that motion to a division.

(*The cut motion of Mr. K. P. Kannan Nayar was, with leave of the Council, withdrawn.*)

The motion for the demand was put and agreed to.

2. I. Land Revenue—E. Temporary Establishment—Rs. 1,175.

President.—Next demand.

Mr. T. M. Krishna Menon.—I next rise to move for an additional allotment of Rs. 1,175 under 'I—Land Revenue (E) Temporary Establishment.' This establishment is retained for the purpose of completing the renewal of Sirkar lands in Travancore Oodupullies, of which there are two sections, one in

LIBRARY ARCHIVES Kerala Legislative Assembly

Vellarappilli and the other in Vadavukode. It was expected at the time when the budget was prepared that the work of the temporary staff would be completed by the end of Mithunam 1103, the period up to which their term had been extended and so the budget made provision for their pay and allowances only till the end of that term. It was however found at the end of the term that some more work remained to be done and seeing that if the work left unfinished there would be difficulty to take it up again and complete it, the temporary staff were retained and proposals were submitted for their retention for eight months more and for payment of certain allowances to local officers up to the end of 1104. This was done after a careful examination of the work that was completed and that still remained to be completed. The proposal was accepted by the Government and the staff were retained. I beg to move that the additional expenditure which has necessarily to be incurred on this account and which comes only to Rs. 1,175 including the pay of the officers for Karkadagam last may be sanctioned.

Mr. A. B. Salem.—I asked some information in the Standing Finance Committee as to whether you have been paying those people from Chingam.

Mr. T. M. Krishna Menon.—We have been paying them.

Mr. A. B. Salem.—How were you paying without an allotment?

Mr. T. M. Krishna Menon.—The establishment has been sanctioned and we draw the pay on a bill stating that it is the pay of the temporary staff.

President.—Should there not be provision?

Mr. T. M. Krishna Menon.—When there is no time to obtain sanction of the House, provisional payments are made in anticipation of sanction.

President.—That is not the point. You put your money in a Bank and then you send a cheque and money is paid. If there is no money of yours, your cheque is dishonoured. In the same way if there is no amount provided for their pay, how can you draw the money?

Mr. A. B. Salem.—I put the question to the Finance Member how the Treasury was paying the amount without allotment.

Mr. K. Krishna Pisharodi.—The Treasury has no check over allotment. The Treasury passes the bills and it is only when it comes to my office for auditing that it will be objected to.

President.—Do you mean to say that till Makaram it has not been audited at all? The moment it comes to your notice can't you say to the Treasury 'don't pay any more amount'?

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. K. Krishna Pisharodi.—We cannot say that.

Mr. C. A. Kunjunni Raja.—Is this supplementary demand for the amount that has already been spent?

Mr. A. B. Salem.—It is already spent. You have been paying the staff without coming to the House to ask for it and getting its sanction. Then what is the use of our sitting here?

Mr. T. M. Krishna Menon.—No offence is meant. We thought that for every reasonable demand we will have the sympathy and support of this House.

Mr. A. B. Salem.—But we want to show the hollowness of the statement. We are fighting for our rights as the guardians of the people and we are to guard their purse. You are spending money without allotment and the Comptroller says the Treasury cannot do anything and the Leader of the House says the money has been paid without allotment and the Diwan-President is pleased to note all these things and cannot help the matter and the matter is going on. We want to know where we are going to be landed if you go on like this.

President.—Not a pie of yours will be lost. I can hold out that assurance. If there are any irregularities in the procedure, we shall do what we can and correct them. No man is free from committing errors.

Mr. A. B. Salem.—We want to get powers for this House so that the people's money may be spent only according to the people's wish and nothing more. That is our aim and that is our object and that is the point for which I am fighting here in this House and outside.

President.—Is it a case where the money has already been spent?

Mr. K. Krishna Pisharodi.—For four or five months they have been paid.

President.—Therefore, for the amount that has been paid you are not to ask for a supplementary grant.

Mr. K. Krishna Pisharodi.—I have already raised objection. It is for want of additional allotment.

President.—For the money that has already been spent you can place a Statement under 16 (9) and so far as the money that has to be spent hereafter you can ask for a supplementary grant. What is the use of your asking for money which is spent? That is the argument. You must understand the position. So far as the amount that has been spent for the payment of the establishment is concerned, only a Statement under 16 (9) need be placed before the Council.

Mr. K. Krishna Pisharodi.—That can be done.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. A. B. Salem.—How can you place a Statement under 16 (9) ? That is not an emergent matter. That will be a mis-statement again. Only when an expenditure is absolutely emergent can 16 (9) be resorted to by the Diwan. If the Diwan says 'I resort to 16 (9) under any sort of circumstances', that will be irregular. This expenditure is incurred from month to month.

President.—It is a lesson to them not to commit that hereafter. Let us be clear about this. When there is no allotment for the expenditure on a certain head, that expenditure will always have to be made either under emergency clause or under additional allotment, if the amount cannot be met from other heads of the same nature. So, from the very fact that you are asking for a supplementary grant, it is clear you cannot meet the expenditure out of the allotment already allotted for in the budget. But why did you not come to the House at the earliest opportunity, say, in Kanni or Vrischigam when there were meetings ? How do you justify this ?

Mr. K. Krishna Pisharodi.—When once an establishment has been sanctioned by the Government they have to be paid.

President.—That position is granted.

Mr. K. Krishna Pisharodi.—Then we found that we had no time to come and ask for the allotment and what we can do is to place it under 16 (9).

President.—You had a meeting in Kanni and Vrischigam and what is the justification for not placing the facts before the House ? Either you say it is an omission and such omissions will be guarded against hereafter, or if you have got a satisfactory explanation that may be put forward before the Council.

Mr. T. M. Krishna Menon.—It may be an omission.

President.—Oodupulli operations are a continuing process and this process won't end on a particular day, and you could have sufficiently anticipated at the time of the preparation of the budget. Even assuming that there was omission when the budget was presented before the Council, why was it not brought to the notice of the Council at the earliest opportunity ?

Mr. T. M. Krishna Menon.—Possibly it was an oversight. We will see that such things are avoided as far as possible.

Mr. V. D. Ouseph.—On a point of information, is the amount that is now demanded for the retention of the staff for the whole period ?

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. T. M. Krishna Menon.—A portion is meant for retention of a portion of the staff till the end of Meenam and a small portion for payment of certain allowances to certain officers for doing additional work up to the end of Meenam.

Mr. P. Krishna Menon.—Anyhow a portion of that money is to be spent hereafter and that saves us from the little error, as it will bring us within the rule. There can be no technical objection.

Mr. Thomas Manjuran.—On a point of information. I recognise this might have been an error. I do not wish to probe into that matter. But the Finance Member just now stated that when money is drawn he cannot notice that there is no allotment.

President.—He meant the Treasury. He said that the Comptroller knows it only when it comes for auditing.

Mr. Thomas Manjuran.—It comes to the Comptroller every day.

President.—Is it coming every day?

Mr. K. Krishna Pisharodi.—It takes nearly 2½ months.

Mr. Thomas Manjuran.—Let us assume that it takes 2½ months. What I want to know is, has not the Comptroller any means of knowing whether a bill is passed within or without an allotment?

President.—After some time when the papers come to him for auditing he knows that.

Mr. Thomas Manjuran.—Now the Comptroller's Office knew that an amount that was not allotted was drawn. What next? So far as I know, nobody has a right to draw money that has not been allotted and if any man draws money which has not been allotted there will be a hue and cry, at any rate there ought to be, because that will be opening the door for all sorts of misdeeds. My point is this. If the Comptroller cannot know whether a man is over-drawing money, then who can?

President.—He knows and objects. He at once sends objection slips.

Mr. Thomas Manjuran.—But he goes on allowing that to continue for months and months.

Mr. K. Krishna Pisharodi.—What the Comptroller said was that the Treasury has no check over the allotment. We have at present only post-audit system. We have not the pre-audit system in which case no money would have been paid from the Treasury like this.

Mr. Thomas Manjuran.—I am not blaming the Comptroller at all. I am only drawing the attention of the

LIBRARY ARCHIVES Kerala Legislative Assembly

Government as to what ought to be done, if there is anything wrong in the system.

President.—You are an Advocate of the pre-audit system?

Mr. Thomas Manjuran.—I was an advocate of a radical change in the Comptroller's power and status as I have made it clear already during my budget speech and during the discussion of the report of the Special Finance Committee. I am not going to say all that just now. But I would say you should not allow that sort of loop-hole to be left. If the Comptroller is not to have the entire check, then who is to have? You and I don't know.

President.—Sometimes payments are wrongly made. They are discovered afterwards and objection slips are issued and then they refund the amount.

Mr. Thomas Manjuran.—There is no use of issuing objection slips futilely like that. The point should be raised sternly and severely. Here an objection slip is issued this month and next month the same thing is repeated. What I say is that sort of thing won't work and should not be made to work.

Mr. K. Krishna Pisharodi.—When we come to know that money has been paid without allotment we can only point out and object. Till the pre-audit system comes, the Treasury must pay when such bills come.

President.—This won't encourage misappropriation?

Mr. K. Krishna Pisharodi.—No. If we had the pre-audit system the money would not have been paid. The introduction of that system is under the consideration of the Government.

President.—It is not for the whole State?

Mr. K. Krishna Pisharodi.—Only for the Cochin-Kanayannur Treasury to start with.

Mr. Thomas Manjuran.—Certainly this House is not standing against the pre-audit system, or any good system.

Mr. A. B. Salem.—May I know, Sir, whether, in the course of the last six months after this bill for Karkadagam was paid, the Comptroller has brought it to the notice of the Government that money that has not been allotted is being drawn by the Diwan Peishkar?

Mr. K. Krishna Pisharodi.—He has not to write to the Government. He has to send objection slips and explanation is obtained from the officer concerned. Sometimes the explanation will be "additional allotment is being applied for". It is only a technical objection.

LIBRARY ARCHIVES Kerala Legislative Assembly

Mr. A. B. Salem.—I only want an answer to my question.

Mr. K. Krishna Pisharodi.—The Comptroller has not in the first instance to bring it to the notice of the Government.

President.—He sends objection slips to the officer who is responsible for drawing the amount, and he has to answer those objections; and if those objections are not properly answered, he will place it before the Government. Is it not so?

Mr. K. Krishna Pisharodi.—Yes.

Mr. A. B. Salem.—That procedure is with regard to objectionable payment, *i. e.*, where there is irregularity. But here there is no money.

President.—That has been sufficiently explained, Mr. Salem.

Motion No. 1.

Mr. K. P. Kannan Nayar.—*To reduce the allotment by Re. 1.*

Mr. K. P. Kannan Nayar.—I am not moving my cut motion.

(*Hence it was considered withdrawn.*)

Motion No. 2.

Mr. A. B. Salem.—*To reduce the allotment by Re. 1.*

Mr. A. B. Salem.—I rise to move this token cut of 1 rupee to call attention to the manner in which the budget is prepared by the Heads of Departments. Sir, if you would kindly look to page 20 of the final budget of 1104, you will find that for 1103 the allotment for this renewal work was Rs. 1,177. The allotment at present asked for is Rs. 1,175, *i. e.*, Rs. 2 less. That statement in the budget will show that this work was being carried on from year to year. In 1102, we had the same amount and in 1103 also we had the same amount, *i. e.*, Rs. 1,177. Therefore, if that work is going on, and the work was being continued, and had not stopped, I consider it the duty of the Head of the Department, whoever he may be, that he should have budgetted for the same amount. If the amount was not spent, it will lapse to the Treasury and it will go nowhere else. On account of the fact that that was not foreseen, we are now face to face with a serious mistake.

Diwan Bahadur Dr. V. Verghese.—Serious mistake?

Mr. A. B. Salem.—Certainly serious mistake. You are now handling money without rhyme or reason and this serious mistake would not have occurred. Here we have got a very amusing statement, according to my mind, thrown on the floor of this House, that, if the Head of a Department sends a cheque, whatever be the budget allotment, the Treasury will untie the purse, and if that is not sufficient, they will draw money from the Bank and pay it off to that officer, or his emissary, whoever that presents the bill. Nobody will know anything about it. The Treasury

LIBRARY ARCHIVES Kerala Legislative Assembly

officers will say what do I care since he has so many lakhs of rupees.

Mr. T. M. Krishna Menon.—Sanction is also quoted.

Mr. A. B. Salem.—For the amount about which I am speaking, there is no sanction.

President.—That statement does not cause amusement to this side of the House.

Mr. A. B. Salem.—Here is an answer most surprising. The Comptroller of Accounts, who has got all the budgets before him and the demands, through which he has to go through, says "I found there was no allotment". Well, this payment is, therefore, irregular and objectionable, and he does not bring it to the notice of the Government.

Mr. K. Krishna Pisharodi.—I did not make such a statement.

Mr. A. B. Salem.—If you have made such a statement, you can very well withdraw it. This slip-shod payment without allotment or sanction should not be continued. There was no sanction at all for this amount from the Finance Committee. They sanctioned a staff and when they came here for money it was not sanctioned and then the money was certified under emergency clause. You could have done it even before. The present Member in charge of the Revenue Department placed a satement before the House and said it was an oversight. We are going to give the full grant without cut. To bring these points to the notice of the House this token motion was tabled. I do not press the motion.

(*The motion was withdrawn with leave.*)

President.—Why was this delay of six months been caused? I can understand the failure to provide in the budget. Soon after, we had two meetings one in Kanni and the other in Vrischigam and it was not brought forward then. You see that there is justification for bringing it to the notice of the Government.

Mr. Thomas Manjuran.—In any case the matter should be brought to the notice of the Diwan.

(*The grant was voted for.*)

3. II A. Cocoanut Station—Rs. 1,600.

President.—The next item is the motion for an additional allotment of Rs. 1,600 under II—A—Cocoanut Station.

Mr. I. Raman Menon.—Sir, I beg to move for an additional allotment of Rs. 1,600 for works in the Cocoanut Station. Rs. 750 is for the final payment on account of the compound wall and gate. There was an allotment of Rs. 1,160 in 1103 budget. The work was taken up last year but could not be completed in that year. The original estimate had also to be

LIBRARY ARCHIVES Kerala Legislative Assembly